

HOUSE BILL NO. 6

INTRODUCED BY W. MCNUTT

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION AND THE
OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE RENEWABLE RESOURCE GRANT AND
LOAN PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND
CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM;
PRIORITIZING GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; AND PROVIDING
AN IMMEDIATE EFFECTIVE DATES DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Appropriations from natural resources projects state special revenue
account.** (1) There is appropriated from the natural resources projects state special revenue account established
in 15-38-302 to the department of natural resources and conservation up to:

(a) \$100,000 to be used for emergency projects;

(b) \$800,000 to be used for planning grants to be awarded by the department over the course of the
biennium;

(c) \$300,000 to be used for irrigation development grants to be awarded by the department over the
course of the biennium; and

(d) \$50,000 to be used for water project private grants to be awarded by the department over the course
of the biennium.

(2) There is appropriated from the natural resources projects state special revenue account established
in 15-38-302 to the department of natural resources and conservation ~~\$5,085,798~~ \$8,654,593 that is available
in the natural resources projects state special revenue account for grants to political subdivisions and local
governments during the 2011 biennium. The funds in this section must be awarded by the department to the
named entities for the described purposes and in the described grant amounts set out in subsection (3), subject
to the conditions set forth in [sections 1 through 3] and the contingencies described in the renewable resource
grant and loan program January 2009 report to the 61st legislature. The legislature, pursuant to 85-1-605,

approves the grants listed in subsection (3), with grants to be made in the order indicated in the prioritized list of projects and activities. Funds must be awarded up to the amounts approved in this section in the following order of priority until available funds are expended. Funds not accepted or used by higher-ranked projects must be provided for projects farther down the priority list that would not otherwise receive funding ~~or for planning grant projects.~~ ANY REMAINING PROJECT FUNDS MAY BE USED FOR ANY RENEWABLE RESOURCE PROGRAM PROJECTS AUTHORIZED UNDER THIS SECTION OR FOR RECLAMATION AND DEVELOPMENT PROGRAM PROJECTS AUTHORIZED BY THE 61ST LEGISLATURE IN HOUSE BILL NO. 7. With the exception of planning grants, any projects that are funded by the reclamation and development grants program may not be funded under [sections 1 through 3].

(3) The following are the prioritized grant projects:

RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

Applicant/Project	Grant Amount
Dutton, Town of	
(Dutton Wastewater System Improvements)	\$100,000
Philipsburg, Town of	
(Philipsburg Wastewater System Improvements)	\$100,000
Upper Lower River Road Water and Sewer District	
(Upper Lower River Road Phase 3 Water and Wastewater System Improvements)	\$100,000
Fort Peck Tribes	
(Fort Peck Tribes Lateral L-56 Rehabilitation Project)	\$100,000
Bitterroot Irrigation District	
(Bitterroot Irrigation District Siphon 1: Phase 1)	\$100,000
Milk River Irrigation Project	
(Milk River Systemwide Geolrrigation Mapping Project)	\$65,004
Big Sandy, Town of	
(Big Sandy Wastewater Improvement Project)	\$100,000
Beaverhead Conservation District	
(Big Hole Spring Creek Kalsta Spring Creek Water Quality Enhancement)	\$97,485
Montana Department of Natural Resources and Conservation -- Water Resources Division	
(Ruby Dam Rehabilitation Project)	\$100,000
Nashua, Town of	

1	(Nashua Water System Improvements)	\$100,000
2	Hysham Irrigation District	
3	(Pump Station Electrical Improvements Project)	\$100,000
4	Yellowstone County	
5	(West Billings Flood Control and Groundwater Recharge Study)	\$100,000
6	Clinton Irrigation District	
7	(Main Canal Rehabilitation Project)	\$99,610
8	Hardin, City of	
9	(Hardin Wastewater System Improvements)	\$100,000
10	Lewistown, City of	
11	(Lewistown Wastewater System Improvements)	\$100,000
12	Winifred, Town of	
13	(Winifred Wastewater System Improvements)	\$100,000
14	Gildford County Water and Sewer District	
15	(Gildford Wastewater System Improvements)	\$100,000
16	Melstone, Town of	
17	(Melstone Water System Improvements)	\$100,000
18	Hysham Irrigation District	
19	(Flow Monitoring/Data Transfer Project)	\$100,000
20	Choteau, City of	
21	(Choteau Wastewater System Improvements)	\$100,000
22	Wolf Creek County Water and Sewer District	
23	(Wolf Creek Wastewater System Improvements)	\$100,000
24	Lower Musselshell Conservation District	
25	(Lost Horse Creek Siphon Pipeline Rehabilitation)	\$100,000
26	Whitefish, City of	
27	(Whitefish Wastewater System Improvements)	\$100,000
28	Gardiner-Park County Water and Sewer District	
29	(Gardiner Wastewater System Improvements)	\$100,000
30	Department of Natural Resources and Conservation -- Water Resources Division	

1	(Twodot Canal Rehabilitation Project)	\$100,000
2	Cascade, Town of	
3	(Cascade Water System Improvements)	\$100,000
4	Sweet Grass County Conservation District	
5	(Post-Kellogg Diversion Structure Infrastructure Rehabilitation)	\$100,000
6	Wibaux, Town of	
7	(Wibaux Wastewater System Improvements)	\$100,000
8	Ravalli County Environmental Health	
9	(Bitterroot Valley Septic Systems Impact Evaluation Model)	\$100,000
10	Bynum Teton County Water and Sewer District	
11	(Bynum Water System Improvements)	\$100,000
12	Lake County	
13	(Lake County Mapping Project)	\$100,000
14	Ravalli County	
15	(Ravalli County Phase II Mapping)	\$100,000
16	Judith Gap, Town of	
17	(Judith Gap Water and Wastewater System Improvements)	\$100,000
18	Crow Tribe	
19	(Crow Agency Wastewater System Improvements Phase IIIA)	\$100,000
20	Stevensville, Town of	
21	(Stevensville Wastewater Improvements Project)	\$100,000
22	Flathead County	
23	(Bigfork Stormwater System Improvements)	\$100,000
24	Kevin, Town of	
25	(Kevin Water System Improvements)	\$100,000
26	Em-Kayan Village Water and Sewer District	
27	(Em-Kayan Village Water System Improvements)	\$100,000
28	Broadview, Town of	
29	(Broadview Water System Improvements)	\$100,000
30	Department of Natural Resources and Conservation -- Water Resources Division	

1	(Deadman's Basin Terminal Outlet Replacement Project)	\$100,000
2	Big Horn Conservation District	
3	(Water Reservations Efficiencies)	\$33,706
4	Department of Natural Resources and Conservation -- Water Resources Division	
5	(Martinsdale Reservoir Dam Drain Project)	\$100,000
6	Loma County Water and Sewer District	
7	(Loma Water System Improvements)	\$100,000
8	Woods Bay Homesites WSD	
9	(Woods Bay WW System Improvements)	\$100,000
10	Sheaver's Creek Water and Sewer District	
11	(Sheaver's Creek Wastewater System Improvements)	\$100,000
12	Bozeman, City of	
13	(Hyalite Creek Source Water Protection Barrier Project)	\$100,000
14	Greater Woods Bay Sewer District	
15	(Greater Woods Bay Wastewater System Improvements)	\$100,000
16	Virginia City, Town of	
17	(Virginia City Wastewater System Improvements)	\$100,000
18	Helena Valley Irrigation District	
19	(Helena Valley Irrigation District Main Canal Lining Project)	\$100,000
20	Flathead County	
21	(Flathead Regional Wastewater Management Group)	\$89,993
22	North Baker Water and Sewer District	
23	(North Baker Wastewater System Improvements)	\$100,000
24	Valier, Town of	
25	(Valier Water System Improvements)	\$100,000
26	Flathead Joint Board of Control	
27	(Flathead Joint Board of Control Jocko K Canal Lining)	\$100,000
28	Sweet Grass County	
29	(Yellowstone Greycliff Study)	\$80,000
30	Cut Bank, City of	

1	(Cut Bank Water System Improvements)	\$100,000
2	Confederated Salish and Kootenai Tribes	
3	(Upper Jocko S Canal Lining Project)	\$100,000
4	St. Ignatius, Town of	
5	(St. Ignatius Water System Improvements)	\$100,000
6	Missoula County	
7	(Lewis and Clark Subdivision RSID Water System Improvements)	\$100,000
8	Bridger Pines County Water and Sewer District	
9	(Bridger Pines Wastewater System Improvements)	\$100,000
10	Ennis, Town of	
11	(Ennis Water System Improvements)	\$100,000
12	Laurel, City of	
13	(Laurel Water System Improvements)	\$100,000
14	Fort Smith Water and Sewer District	
15	(Fort Smith Water System Improvements)	\$100,000
16	Troy, City of	
17	(Troy Water System Improvements)	\$100,000
18	Department of Natural Resources and Conservation -- Water Resources Division	
19	(Nevada Creek Canal Design and Construction Project)	\$100,000
20	Granite County	
21	(Granite County Solid Waste Improvements)	\$100,000
22	Harlowton, City of	
23	(Harlowton Water System Improvements)	\$100,000
24	Jette Meadows Water and Sewer District	
25	(Jette Meadows Water System Improvements)	\$100,000
26	Homestead Acres County Water and Sewer District	
27	(Homestead Acres Water System Improvements)	\$100,000
28	South Chester Water District	
29	(South Chester Water System Improvements)	\$100,000
30	Bigfork Water and Sewer District	

1	(Bigfork Wastewater System Improvements)	\$100,000
2	Greenacres County Water and Sewer District	
3	(Greenacres Water System Improvements)	\$100,000
4	Livingston, City of	
5	(Livingston Anaerobic Digester Improvements and Composting)	\$100,000
6	Eureka, Town of	
7	(Eureka Water System Improvements)	\$100,000
8	Manhattan, Town of	
9	(Manhattan Water System Improvements)	\$100,000
10	Stevensville, Town of	
11	(Stevensville Water System Improvements)	\$100,000
12	Buffalo Rapids Project District II	
13	(Conversion of Laterals 2.9/7.6 to Pipeline)	\$100,000
14	Flathead Basin Commission	
15	(Mapping the Impacts of Septic Systems: A Shallow Ground Water Study)	\$100,000
16	Daly Ditches Irrigation District	
17	(Hedge Canal Diversion Dam Replacement)	\$100,000
18	Fort Shaw Irrigation District	
19	(Water Quality and Quantity Improvement)	\$100,000
20	East Bench Irrigation District	
21	(East Bench Irrigation District Sweetwater Seepage Area Canal Lining)	\$100,000
22	Montana State University -- Montana Watercourse	
23	(Watershed Education for Real Estate Agents)	\$19,333
24	Shelby, City of	
25	(Shelby Wastewater System Improvements)	\$100,000
26	Buffalo Rapids Project District II	
27	—— (Increasing Pump Discharge Line Efficiency: Phase II)	\$100,000
28	<u>(FISH SCREEN BUFFALO RAPIDS IRRIGATION DISTRICT)</u>	
29	Sweet Grass County Water and Sewer District	
30	(Sweet Grass Water System Improvements)	\$100,000

1	Gore Hill County Water District	
2	(Gore Hill Water System Improvements)	\$100,000
3	Whitefish County Water and Sewer District	
4	(Investigation of Septic Leachate to Littoral Areas of Whitefish Lake)	\$70,000
5	Richland County Conservation District	
6	(Lower Yellowstone Ground Water Reservation)	\$100,000
7	Montana State University -- Montana Water Center	
8	(Decisionmaker's Guide to Montana's Water)	\$99,462
9	Ronan, City of	
10	(Ronan Water System Improvements)	\$100,000
11	(4) For grant projects for which the department of natural resources and conservation also has	
12	recommended a loan, the authorization for the loan is contained in House Bill No. 8.	
13	(5) There is appropriated from the natural resources projects state special revenue account established	
14	in 15-38-302 to the department of natural resources and conservation up to \$2.2 <u>\$2.1</u> million that is available in	
15	the natural resources projects state special revenue account for renewable resource grants approved by the 60th	
16	legislature. The treasure state endowment program shall reduce its grant to the department of natural resources	
17	and conservation by the amount expended under this subsection.	
18	(6) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for	
19	purposes of encumbering the funds within the 2011 biennium pursuant to 17-7-302.	

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21 **NEW SECTION. Section 2. Conditions of grants.** Disbursement of funds under [sections 1 through

22 3] for grants is subject to the following conditions that must be met by project sponsors:

23 (1) approval of a scope of work and budget for the project by the department of natural resources and

24 conservation. Changes in the project scope of work or budget that reduce the public or natural resource benefits

25 as presented in department reports and applicant testimony to the 61st legislature may result in the proportional

26 reduction in grant amount.

27 (2) documented commitment of other funds required for project completion;

28 (3) satisfactory completion of conditions described in the recommendation section of the project narrative

29 in the renewable resource grant and loan program project recommendations and biennium report submitted to

30 the 61st legislature for the 2011 biennium or, in the case of emergency applications, conditions specified at the

1 time of written notification of approved grant authority;

2 (4) execution of a grant agreement with the department; and

3 (5) accomplishment of other specific requirements considered necessary by the department to
4 accomplish the purpose of the grant as evidenced from the application to the department or from the proposal
5 to the legislature.

6
7 **NEW SECTION. Section 3. Appropriations established.** For any entity of state government that
8 receives a grant under [sections 1 and 2], an appropriation is established for the amount of the grant listed in
9 [section 1(3)]. Grants to state entities from prior bienniums are reauthorized for completion of contract work.

10
11 **NEW SECTION. Section 4. Review of previously authorized grants.** Recipients of renewable
12 resource grants authorized by previous legislatures that have not completed startup conditions must be notified
13 by the department of natural resources and conservation that the legislature, at the next regular session, will
14 review renewable resource grants to determine if the commitment of the renewable resource grant should be
15 withdrawn.

16
17 **NEW SECTION. Section 5. Notification to tribal governments.** The secretary of state shall send a
18 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
19 Chippewa tribe.

20
21 **NEW SECTION. SECTION 6. COORDINATION INSTRUCTION.** IF THE TOTAL TRANSFERS FOR THE RENEWABLE
22 RESOURCE GRANTS AND LOANS WATER PROJECTS IN SECTION 51-F, ITEM 5, OF HOUSE BILL NO. 645 IS REDUCED BELOW
23 A TOTAL OF \$4,148,796, THEN THE APPROPRIATION OF \$8,654,593 FROM THE NATURAL RESOURCES PROJECTS STATE
24 SPECIAL REVENUE ACCOUNT FOR GRANTS TO POLITICAL SUBDIVISIONS AND LOCAL GOVERNMENTS IN [SECTION 1 OF THIS
25 ACT] IS REDUCED BY A LIKE AMOUNT.

26
27 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are severable
28 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part
29 remains in effect in all valid applications that are severable from the invalid applications.

1 ~~NEW SECTION. Section 7. Effective dates.~~ (1) ~~[Sections 2 through 6 and this section] are effective~~
2 ~~on passage and approval.~~

3 ~~———— (2) [Section 1] is effective July 1, 2009.~~

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5 NEW SECTION. SECTION 8. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

6 - END -